

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE ROCKEFELLER UNIVERSITY,

Plaintiff,

v.

LIGAND PHARMACEUTICALS
INCORPORATED,

Defendant.

08-CV-2755 (KPC)(HP)

**DECLARATION OF JAMES LAPPLE IN OPPOSITION TO LIGAND
PHARMACEUTICALS INC.'S MOTION TO DISMISS, OR, IN THE
ALTERNATIVE, TO TRANSFER TO THE SOUTHERN DISTRICT OF
CALIFORNIA**

I, James Lapple, declare as follows:

1. I am employed by The Rockefeller University (the "University") as its Vice President, Finance. I have worked for the University in that position for the past four years in New York. I have personal knowledge of the matters asserted herein.
2. As part of my responsibilities as Vice President, Finance, I have an understanding of the University's operations and business and make this declaration to the best of my knowledge and belief.
3. The Rockefeller University is a New York not-for-profit education corporation, with its principal place of business in New York, New York. All of The Rockefeller University's facilities and employees are located in New York.
4. The Rockefeller University does not have an office in California.
5. The Rockefeller University maintains no telephone listing or mailing addresses in the State of California.

6. The Rockefeller University does not sell products in the State of California and does not market or advertise directly to the residents thereof.
7. The Rockefeller University has no research facility, no employees or sales representatives in the State of California.
8. The Rockefeller University does not solicit business in California.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

I executed this Declaration on this 7th day of April, 2008 in New York, New York.


James Lapple